

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RUSSELL MARTINEZ,

Plaintiff,

No. 14-cv-00534 KG/WPL

vs.

JOSEPH SALAZAR, et al.,

Defendants.

**PLAINTIFF'S FIRST SET OF
INTERROGATORIES TO DEFENDANT JOSEPH SALAZAR**

Plaintiff Russell Martinez, by and through undersigned counsel, submits the following interrogatories to Defendant Joseph Salazar pursuant to Federal Rule of Civil Procedure 33.

INSTRUCTIONS

The following instructions apply to each of these Interrogatories.

1. You are to answer the following Interrogatories separately and fully, in writing, under oath, to the best of your ability from knowledge you are able to obtain from any and all sources available to you, your agents, servants, representatives, and/or counsel, pursuant to the provisions of Federal Rule of Civil Procedure 33 within thirty (30) days of service.
2. These Interrogatories are of a continuing nature. Should any information come to the attention of you or your representatives, agents, or attorneys, or should circumstances arise that merit amendment, modification, or addition to the answers, the amendments, modifications, or additions should be submitted to opposing counsel immediately.
3. In answering these Interrogatories, furnish all information, however obtained, including hearsay, that is available to you or to your representatives, agents, or attorneys.

EXHIBIT A

4. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible, specify in your answer your alleged inability to answer the remainder, state whatever information or knowledge you have concerning the unanswered portion, and detail what you did in attempting to secure the unknown information.

5. If you decline to answer any Interrogatory in whole or in part, specify the ground for objection. If you base your refusal to answer on a claim of privilege or work product, please set forth the basis of your claim of privilege or protection with sufficient particularity to permit Plaintiff to assess the applicability of the privilege or protection claimed.

6. References to the singular include the plural, and references to the plural include the singular.

DEFINITIONS

Whenever one of the following defined terms is used in an interrogatory or any other place in this document, the interrogatory or other portion of the document shall be read and responded to as if the defined term was set forth in full.

1. "All" and "any" mean "any and all."
2. "And" includes both its disjunctive and conjunctive meanings, and is equivalent to "and/or." Whenever the conjunctive is used herein it shall also be taken in the disjunctive and vice-versa.
3. "Each" means "each and every."
4. "Include" and "including" means "include, but do not limit" and "including, but not limited to."
5. "Person" means, unless otherwise specified, any natural person, artificial person, firm, entity, corporation, partnership, proprietorship, association, joint venture, department, division, other form of organization or arrangement, and government agency of every nature and type.

INTERROGATORIES

Plf.'s Interrogatory No. 2 to Espanola Defs.: Please provide a full and detailed description of your involvement and interactions with Plaintiff and Plaintiff's wife, Jackie Martinez, on May 11, 2012. Include in your answer all events that occurred at the Espanola Sonic, all events that occurred at Presbyterian Espanola Hospital, the specific identities of any person who was present at either location, and any statements made by any person.

ANSWER:

Plf.'s Interrogatory No. 3 to Espanola Defs.: If you were present with Plaintiff at the Presbyterian Espanola Hospital on May 11, 2012, please provide a full and detailed description of each person to whom you spoke about Plaintiff, each person who spoke to you about Plaintiff, and the contents of these conversations. In your answer, please also identify and provide a full and detailed description of every person you saw speaking with Plaintiff and, to the extent you overheard any of these conversations, the content of those conversations.

ANSWER:

Plf.'s Interrogatory No. 4 to Espanola Defs.: Please provide a full and detailed description of your educational history beginning with high school. Include in your answer all vocational training, certifications you have received, the years of attendance for each school, whether you graduated, and your grade-point average.

ANSWER:

Plf.'s Interrogatory No. 5 to Espanola Defs.: Please provide a full and detailed description of your work history. Include in your answer the pay you received and your rank and job duties throughout your time with each employer, and for each employer that you no longer work for, the specific reason why you resigned or were terminated.

ANSWER:

Plf.'s Interrogatory No. 6 to Espanola Defs.: Please provide a full and detailed description of the training you have received as, or to become, a law enforcement officer. Include in your answer a list, by name, of all classes or courses that you have completed, the date you completed the class or course, the length of the class or course, who acted as the instructor for the class or course, and whether you have any certificates showing completion of any such class or course.

ANSWER:

Plf.'s Interrogatory No. 7 to Espanola Defs.: Please provide a full and detailed description of any disciplinary action that has been taken, or any grievance or complaint that has been lodged, against you in your capacity as a law enforcement officer, whether you were employed by the City of Espanola or elsewhere.

ANSWER:

Plf.'s Interrogatory No. 8 to Espanola Defs.: Please provide a full and complete description of any time you have been arrested for, or charged with, a crime. Include in your answer the date and place of arrest, the reason for the arrest, the name of the law enforcement agency involved in the arrest, the charges, if any, that were filed against you, the name of the court the charges were heard in, the outcome of the charges and the punishment, if any, you received upon conviction or adjudication as delinquent.

ANSWER:

Plf.'s Interrogatory No. 9 to Espanola Defs.: Please provide a full and complete description of any lawsuit, other than the instant case, in which you have been a party. For each lawsuit, include in your answer the names of the parties involved in the lawsuit, the name of the court in which the lawsuit was filed, the case number of the lawsuit, and the names of the attorneys representing any party in the lawsuit.

ANSWER:

Respectfully submitted,

COBERLY LAW OFFICE

/s/ Todd A. Coberly
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Attorney for Russell Martinez

DECLARATION

I, Joseph Salazar, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing answers to *Plaintiff's First Set of Interrogatories to Defendant Joseph Salazar* are true and correct. Executed on _____.

Joseph Salazar